

## **REMARKS**

### **Status Of Application**

Claims 1-9 are pending in the application; the status of the claims is as follows:

Claim 2 is objected to because of informalities.

Claim 9 is rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Application Publication No. US 2002/0053223 to Nishikawa ("Nishikawa").

Claims 1, and 3-8 are allowed.

### **Claim Amendments**

Claim 2 has been amended to correct matters of grammar. These changes are not necessitated by the prior art, are unrelated to the patentability of the invention over the prior art, and do not introduce any new matter.

### **35 U.S.C. § 102(b) Rejection**

The rejection of claim 9 under 35 U.S.C. § 102(b) as being anticipated by Nishikawa, is respectfully traversed based on the following:

Claim 9 is canceled by this amendment. Thus, this rejection is moot. Accordingly, it is respectfully requested that the rejection of claim 9 under 35 U.S.C. § 102(b) as being anticipated by Nishikawa, be reconsidered and withdrawn.

## **CONCLUSION**

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

Application No. 10/624,331  
Amendment dated August 22, 2008  
Reply to Office Action of June 4, 2008

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin LLP Deposit Account No. 18-1260.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin LLP Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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